

SENATE BILL 491

P3

5lr2030
CF HB 699

By: **Senators Gile, Brooks, Carozza, King, Kramer, Salling, ~~and Waldstreicher~~**
Waldstreicher, Attar, Augustine, Hester, Kagan, and M. Washington

Introduced and read first time: January 22, 2025

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 25, 2025

CHAPTER _____

1 AN ACT concerning

2 **General Provisions – Veterans Benefits – Honorable Discharge**

3 FOR the purpose of defining “honorable discharge” with respect to any State program of
4 benefits, rights, or privileges applicable to a veteran to include certain discharges;
5 and generally relating to veteran discharges.

6 BY repealing and reenacting, with amendments,

7 Article – General Provisions

8 Section 1–109.1

9 Annotated Code of Maryland

10 (2019 Replacement Volume and 2024 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – General Provisions**

14 1–109.1.

15 (a) With respect to any State program of benefits, rights, or privileges applicable
16 to a veteran under this Code, “honorable discharge” includes discharge that is less than
17 honorable:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(1) solely due to the sexual orientation or gender identity of the individual being discharged; [or]

(2) based on a statement or consensual act of the individual being discharged related to the individual's sexual orientation or gender identity, if the statement or consensual act was prohibited by the military or naval service at the time of discharge;
OR

~~(3) BASED ON AN INCIDENT OR INCIDENTS RELATING TO:~~

~~(I) A DIAGNOSIS OF POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY MADE BY AN INDIVIDUAL LICENSED TO PROVIDE HEALTH CARE SERVICES AT A U.S. DEPARTMENT OF VETERANS AFFAIRS FACILITY; OR~~

~~(II) AN EXPERIENCE OF SEXUAL TRAUMA, AS DESCRIBED IN 38 U.S.C. § 1720, DISCLOSED TO AN INDIVIDUAL LICENSED TO PROVIDE HEALTH CARE SERVICES AT A U.S. DEPARTMENT OF VETERANS AFFAIRS FACILITY.~~

(3) IF THE DEPARTMENT OF VETERANS AND MILITARY FAMILIES DETERMINES AN INDIVIDUAL IS ELIGIBLE FOR STATE BENEFITS BASED ON THE CRITERIA ESTABLISHED IN 38 C.F.R. § 3.12.

(b) A veteran shall submit to the Secretary of Veterans and Military Families documentation that provides the basis for the veteran's discharge.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.